

Remarks

This Reply is in response to the July 10, 2008 Office Action ("Office Action") issued in connection with the above-identified patent application. Reconsideration of the application in view of the following remarks is respectfully requested.

Summary of the Office Action

Claims 84-101, 103-104, 106-126, 128-129, 131-151, 153-154, 156-176, 178-179, and 181-183 are pending in this application.

Claims 84-90, 93-115, 118-140, 143-165, and 168-183 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Goode et al. U.S. Patent No. 6,684,400 ("Goode").

Claims 91-92, 116-117, 141-142, and 166-167 were rejected under 35 U.S.C. § 103(a) as being obvious over Goode in view of Hendricks et al. U.S. Patent No. 5,798,785 ("Hendricks").

Summary of the Applicants' Reply

Claims 84-101, 103-104, 106-126, 128-129, 131-151, 153-154, 156-176, 178-179, and 181-183 are pending in this application.

The Examiner's rejections are respectfully traversed.

Reply to the Rejections

Applicants note that the Office Action includes rejections of claims that were previously canceled. Applicants' reply is directed only to the presently pending

claims 84-101, 103-104, 106-126, 128-129, 131-151, 153-154, 156-176, 178-179, and 181-183.

The present invention, as defined by independent claims 84, 109, 134, and 159, relates to a method, systems, and a machine-readable medium for allowing a user of an interactive media guide to access media provided by media sources. The elements recited in the independent claims include, inter alia, the following:

- providing *media group options and media sub-group options* associated with at least some of the media group options, wherein the media group options and at least some of the media sub-group options indicate media available to the user without indicating the content of the media, without indicating the title of the media, and without indicating the source of the media;
- providing media indicators in response to the user selecting one of the media sub-group options, wherein... the media indicators include a *first media indicator for scheduled media* and a *second media indicator for unscheduled media*, wherein the unscheduled media includes media that is not provided at a scheduled time and is available for viewing at a time selected by the user.

These elements of the independent claims require that several items be provided: media group options and media sub-group options that are associated with at least some of the media group options, and first and second media indicators for scheduled media and unscheduled media, respectively. Applicants respectfully submit that at least these above-mentioned items are not taught by Goode, therefore, a prima facie case of obviousness has not been established.

The Office Action at page 4 acknowledges that "Goode silent [*sic*] as to, providing media sub-group option(s) as claimed." However, the Office Action

continues by stating that since Goode teaches providing a plurality of media group options (Service 1-3) and a media sub-group option, that it would have been obvious "to modify Goode system with a plurality of media sub-group options that are available to the user to enable a user to select a desired sub-group option as needed." Applicants respectfully disagree. Goode does not teach a media sub-group option, and it would not have been obvious to modify Goode with any media sub-group options.

Goode teaches an interactive information distribution system that packages certain services. Goode is directed to "providing subscription-on-demand (SOD) services for a[n] interactive information distribution system, where a consumer may subscribe to packages of on-demand programs for a single price and view the programs in the subscribed package at any time for no additional cost." (Goode, Abstract). Thus, Goode is about providing unscheduled programs that are available to a consumer from a single type of source (i.e., on-demand). FIG. 4 of Goode shows a pie-shaped menu 400 that permits selection of various on-demand services using any one of the "pie" sections 402, 404, 406, or 408. (Goode, col. 8, lines 46-52).

Each of the on-demand services, Services 1-3 and SOD Service, is described in Goode as being one of the SOD services options presented to a subscriber. (Goode, col. 8, lines 46-52). As such, each of the Services 1-3 and SOD Service are comparable packages of services, such as OnSet Kids (FIG. 5). Even if Services 1-3 and SOD Service were not considered to be comparable types or options of service, there is no indication that any one of them is a subset or sub-group of the others. More specifically,

there is no indication that the SOD Service (or any other of the Services 1-3) could be considered to be a media sub-group of the other services. Thus, the services provided by Goode can not equate to both media groups options and media sub-group options associated some of the media group options, as recited in the independent claims of the present invention. The independent claims of the present invention require "*media sub-group options* associated with at least some of the media group options." Even if the SOD Service could be considered a media sub-group option, as alleged in the Office Action at page 3, but which is not conceded, there is no association between the SOD Service and any other media group option. Thus, applicants submit that Goode fails to teach the media sub-group option recited in the independent claims 84, 109, 134, and 159.

Further distinguishing the independent claims from Goode are the first and second media indicators. Each of the independent claims recite that "media indicators include a first media indicator for scheduled media and a second media indicator for unscheduled media." The Office Action at page 4 suggest that the media indicators are taught by Goode at col. 8, line 57 to col. 9, line 65. Applicants respectfully disagree. Goode teaches providing on-demand programming only. There are no indicators of scheduled or unscheduled media in Goode. While Goode mentions that subscription services may be limited to a restricted time window (e.g., from 6 A.M. to 6 P.M.), these times do not indicate that any programming is scheduled. Rather, the programming for such a restricted service is available on-demand for free during the time window and is available for a fee outside of the time window (see col. 8, lines 41-53). Accordingly, there is no discussion in the

entire Goode reference of providing any programs at scheduled times. This is unsurprising for a device that only provides on-demand content at any time. Since there are no scheduled programs, it follows that there are no indicators for either of scheduled or unscheduled content. Thus, it is submitted that there is no teaching in Goode of providing a first media indicator for scheduled media and a second media indicator for unscheduled media.

For at least the foregoing reasons, applicants respectfully submit that independent claims 84, 109, 134, and 159 are patentable. Accordingly, each of dependent claims 85-108, 110-133, 135-158, and 160-183 is also patentable at least because it depends, directly or indirectly, from a patentable independent base claim. Applicants respectfully request that the rejections of claims 84-101, 103-104, 106-126, 128-129, 131-151, 153-154, 156-176, 178-179, and 181-183 be withdrawn.

Conclusion

For at least the reasons set forth above, applicants respectfully submit that this application is in condition for allowance. Prompt consideration and allowance of this application are respectfully requested.

Respectfully submitted,

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